International Application No.: PCT/EP2003/010838 Preliminary Amendment Dated: May 5, 2005

Please amend the claims as follows:

Listing of Claims:

- 1. (Currently amended): A composition for the treatment or prevention of type 2 diabetes in those individuals with pre-diabetes, or impaired glucose tolerance (IGT) or obesity comprising EGCG and at least one of pantethine or and phytanic acid.
- 2. (Currently amended): A composition <u>according to as in claim 1</u> comprising wherein EGCG and pantethine are present.
- 3. (Currently amended): A composition <u>according to</u> as in claim 1 <u>comprising wherein EGCG</u> and phytanic acid are present.
- 4. (Currently amended): A composition <u>according to as in claim 1</u> comprising wherein EGCG, pantethine and phytanic acid are present.
- 5. (Currently amended): A composition <u>according to claim 1</u> [[as in claim 2, 3 or 4]] containing EGCG in an amount sufficient to administer to a subject a daily dosage of 0.3 mg per kg body weight to about 30 mg per kg body weight.
- 6. (Currently amended): A composition <u>according to claim 1</u> [[as in claim 2 or 4]] containing pantethine in an amount sufficient to administer to a subject a daily dosage of 1 mg per kg body weight to about 50 mg per kg body weight.
- 7. (Currently amended): A composition <u>according to claim 1</u> [[as in claim 3 or 4]] containing phytanic acid in an amount sufficient to administer to a subject a daily dosage of 1 mg per kg body weight to about 100 mg per kg body weight.
- 8. (Currently amended): A composition <u>according to claim 1</u> as in any one of claims 1–7 which is in dosage unit form.
- 9. (Original): A composition as in claim 8 wherein the dosage unit form is a solid dosage unit form.

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- 10. (Original): A composition as in claim 9 wherein the dosage unit form contains about 10 mg to about 500 mg of EGCG.
- 11. (Original): A composition as in claim 9 wherein the dosage unit form contains about 20 mg to about 1000 mg of pantethine.
- 12. (Original): A composition as in claim 9 wherein the dosage unit form contains about 30 mg to about 500 mg of phytanic acid.
- 13. (Currently amended): A composition <u>according to claim 1</u> as in any one of claims 1-7 which is a food or beverage or a supplement composition for a food or beverage.
- 14. (Original): A food or beverage comprising EGCG, pantethine or a metabolite thereof, phytanic acid, lipoic acid, policosanol and coenzyme Q-10.

15 to 19. (Canceled).

- 20. (Original): A method for the treatment of both type 1 and 2 diabetes, and for the prevention of type 2 diabetes in those individuals with pre-diabetes, or impaired glucose tolerance (IGT) or obesity which comprises administering to a subject in need of such treatment EGCG and at least one of pantethine and phytanic acid.
- 21. (New): A method of making a nutraceutical composition comprising admixing EGCG and at least one of pantethine or phytanic acid.
- 22. (New): A method according to claim 21, wherein the nutraceutical contains EGCG in an amount sufficient to provide a daily dosage of 0.3 mg per kg body weight to about 30 mg per kg body weight of the subject to which it is to be administered, pantethine, if present, in an amount sufficient to provide a daily dosage of 1.0 mg per kg body weight to about 50 mg per kg body weight of the subject to which it is to be administered, and phytanic acid, if present, in an amount sufficient to provide a daily dosage of 1.0 mg per kg body weight to about 100 mg per kg body weight of the subject to which it is to be administered.

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- 23. (New): A method according to claim 22, wherein the nutraceutical composition is a food or beverage, or a supplement composition for food or beverage.
- 24. (New): A method according to claim 22, wherein the nutraceutical composition is a pharmaceutical composition for the treatment of both type 1 and 2 diabetes, and for the prevention of type 2 diabetes in those individuals with prediabetes, or impaired glucose tolerance (IGT) or obesity.